

DIRECTIVE 2006-52

May 19, 2006

To: COUNTY BOARDS OF ELECTIONS

Re: Independent Nominating Petition – Robert Fitrakis and Anita Rios – Gov. and Lt. Gov.

Enclosed are part petitions of the joint independent nominating petition and statement of candidacy of Robert Fitrakis and Anita Rios filed in this office on May 1, 2006, for the office of Governor and Lieutenant Governor, respectively.

Read the enclosed instructions carefully *before* examining the signatures on each part-petition.

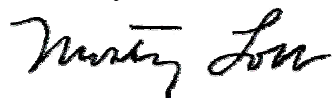
You must examine the petitions in accordance with R.C. 3501.38 (rules governing petitions), R.C. 3501.011 (definition of “signature”) and the enclosed instructions. All petitions and certification forms **must be returned to this office *by June 23* either in person or via a trackable method such as certified mail, UPS or Fed Ex.**

R.C. 3501.38(F) states that, if a circulator *knowingly* permits an unqualified person to sign a part-petition or permits a person to write a name other than the person's own on it, the entire part-petition is invalid. If the circulator *unknowingly* permits that conduct, then only that invalid signature is rejected; any valid signature on that part-petition is counted toward the signature requirement. Therefore, in each case where a person signs a name other than his or her own to a petition, the board of elections must investigate to determine whether to invalidate only the non-genuine signature or the entire part-petition.

R.C. 3503.06 requires that the circulator of a candidate petition be a registered elector of Ohio. If you receive candidate petitions circulated by a person whose address is in another county, call that county's board of elections to confirm that the circulator is registered to vote. Remember that, although R.C. 3501.38(C) requires a petition *signer's* voting address on the petition to match that file with your office, a petition *circulator's* address may be different than what is on file with the board.

If you have any questions concerning this petition, please call the Elections Division at 614-466-2585.

Sincerely,

A handwritten signature in black ink, appearing to read "Monty Lobb". The signature is fluid and cursive, with the first name "Monty" and last name "Lobb" clearly distinguishable.

Monty Lobb
Assistant Secretary of State

Encls.

INSTRUCTIONS AND CODE SYMBOLS FOR VALIDATING SIGNATURES ON PETITIONS

Each signature must be examined individually to determine if it satisfies all the requirements of law. After checking an entire part-petition, write the following information on the **right side of the front page** of each part-petition, **below** the Secretary of State's petition stamp number:

- The **number** of **valid signatures**. and
- **The initials** of the board employee who checked the part-petition.

If a signature is valid, place a red check mark at the left margin beside it. If a signature is invalid, use one of the following codes to indicate why it was invalidated; if none of the codes fit, provide an explanatory notation. Do not cross out any signature or address; only place code at left margin.

- NR **Not Registered:** The signer is not registered to vote. Each signer of a petition paper must be a qualified elector registered to vote at the address shown on the petition paper **as of the date** this petition was filed with the Secretary of State (**May 1, 2006**).
- NRA **Not Registered Address:** Address provided on the part-petition after the signature is not the address on file with the board of elections **as of the date** this petition was filed with the Secretary of State (**May 1, 2006**).
- NA **No Address:** The signer's street and number, or RFD, and city, village, or township, must be provided next to his/her signature on the part-petition. A post office box cannot be accepted as the signer's voting address. The signer need not have entered the name of his/her county, if the board can determine the signer's county of residence based on the other information provided on the petition. The ward and precinct information is not required.
- NG **Not Genuine:** The signature does not appear to be the genuine signature of the person whose signature it purports to be; i.e., it does not comport with the signature on file with the board.
- ILL **Illegible:** A board rejects a signature for this reason only if both the signature and signer's address are unreadable, such that it is not reasonably possible for the board to determine the signer's identity and check the signature against a voter registration record.
- P **Pencil:** Signed in pencil.
- ND **No date:** No date appears on the part-petition after the signer's signature. (Acceptable as "dates" are: month-date-year, month-date; ditto marks.)
- DUP **Duplication:** The signer signed the candidate's petition more than once, in which case only the first signature shall be counted.
- OC **Other county:** The signer is a resident of another county.
- CIR **Circulator:** The circulator signed the part-petition he or she was circulating. (This invalidates only the circulator's signature as a signer; it does not invalidate the entire part-petition.)

If the number of signatures on a part-petition is **more than the number indicated** in the circulator's statement, **the entire part-petition is invalid**.

When **invalidating** an **entire** part-petition:

- Indicate the reason for rejection on the front of the part-petition.
- Place the invalid part-petition(s) on the top of the part-petitions the board is returning.
- Do **not** invalidate a part-petition solely for the reason that it contains no valid signatures.

Finally, complete the enclosed **Reporting Form** and return it, with the part-petitions, to the Secretary of State's Elections Division, 180 East Broad Street - 15th Floor, Columbus OH 43215.

REPORTING FORM STATEWIDE CANDIDATE PETITION

Independent Candidates: **Robert Fitrakis and Anita Rios**

Office Sought: Secretary of State

Election Date: November 7, 2006

On behalf of the Board of Elections of _____ County, I certify hereby that we have examined the enclosed part-petitions. The number of valid and invalid signatures on the part-petitions of, Robert Fitrakis and Anita Rios, joint independent candidates for the office of Governor and Lieutenant Governor, respectively, are as follows:

	PETITIONS	SIGNATURES
1. Number of valid part-petitions	_____	
Number of valid signatures		_____
Number of invalid signatures		_____
2. Number of invalid part-petitions	_____	
Number of signatures on invalid part-petitions		_____
3. Total number of <i>part-petitions</i> received (valid and invalid)	_____	
4. Total number of <i>signatures</i> on part-petitions (valid and invalid)		_____

Signature _____
Director

Date

Please return the original completed form to the Secretary of State's Elections Division, keeping a copy for your files.